



PATENT

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of:

Inventor(s): ANDREW C. HIATT and FLOYD ROSE

For (title): ENZYME CATALYZED TEMPLATE-INDEPENDENT CREATION OF
PHOSPHODIESTER BONDS USING PROTECTED NUCLEOTIDES

1. Type of Application

This new application is for a(n):

- ☒ Original
☐ Design
☐ Divisional
☐ Continuation
☐ Continuation-in-part (CIP)

2. Benefit of Prior U.S. Application(s) (35 USC 120)

☒ None

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed there are being deposited with the United States Postal Service on this date, September 1, 1994, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number TB597031974 US addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

KIM ARNOLD-CABELLO

(Type or print person mailing paper)

K. Cabello

(Signature of person mailing paper)

Best Available Copy

Best Available Copy

3. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application

57 Pages of Specification

6 Pages of Claims

1 Pages of Abstract

4 Sheets of drawing

 formal

 X informal

 in triplicate

4. Additional papers enclosed

 Preliminary Amendment

 Information Disclosure Statement

 Form PTO-1449

 Citations

 Declaration of Biological Deposit

 Authorization of Attorney(s) to Accept and Follow Instructions from Representative

 Special Comments

 X Other

PETITION TO MAKE SPECIAL AS SMALL ENTITY AND RECOMBINANT DNA BIOTECH APPLICATION, DECLARATION OF ANDREW C. HIATT IN SUPPORT OF PETITION TO MAKE SPECIAL AS SMALL ENTITY AND RECOMBINANT DNA BIOTECH APPLICATION and VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS

5. Declaration or oath

 X Enclosed

executed by (check all applicable boxes)

 X inventor(s).

 legal representative of inventor(s). 37 CFR 1.42 or 1.43

Best Available Copy

___ joint inventor or person showing a
proprietary interest on behalf of inventor
who refused to sign or cannot be reached.

___ this is the petition by 37 CFR 1.47 and
the statement required by 37 CFR 1.47 is
also attached. See item 13 below for
fee.

___ Not enclosed.

___ Application is made by a person authorized
under 37 CFR 1.41(c) on behalf of all the
above-named inventor(s). The declaration and
oath, along with the surcharge required by 37
CFR 1.16(e) will be filed subsequently.

6. Inventorship Statement

The inventorship for all the claims in this application are:

X the same

or

___ not the same. An explanation, including the
ownership of the various claims at the time the
last claimed invention was made,

___ is submitted.

___ will be submitted.

7. Language

X English

___ non-English

___ the attached translation is a verified
translation. 37 CFR 1.52(d).

8. Assignment

X An assignment of the invention to ROSE HIATT
BIOTECHNOLOGY PARTNERSHIP

X is attached.

___ will follow.

Kindly record this assignment. The recordal fee is submitted herewith.

9. Certified Copy

Certified copy(ies) of application(s)

(country)	(appln. no.)	(filed)
(country)	(appln. no.)	(filed)
(country)	(appln. no.)	(filed)

from which priority is claimed

- ☐ is(are) attached
☐ will follow.

10. Fee Calculation

A. ☐ Regular Application

CLAIMS AS FILED							
Number Filed		Number Extra		Rate		Basic Fee	
Total						\$710.00	
Claims	38 - 20 = 18		X	\$ 22.00		\$396.00	
Independent							
Claims	4 - 3 = 1		X	\$ 74.00		\$ 74.00	
Multiple dependent claim(s), if any					\$230.00		

- ☐ Amendment cancelling extra claims enclosed.
☐ Amendment deleting multiple dependencies enclosed.
☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$1,180.00

B. ☐ Design Application
(\$280.00 - 37 CFR 1.16(f))

Filing Fee Calculation \$

11. Small Entity Statement(s)

X Verified Statement(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is(are) attached.

Filing Fee Calculation (50% of A or B above) \$590.00

12. Request for International-Type Search (37 CFR 1.104(d))

— Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

13. Fee Payment Being Made At this Time

— Not Enclosed

— No filing fee is to be paid at this time. (This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.)

X Enclosed \$

X basic filing fee \$590.00

X recording assignment (\$40.00; 37 CFR 1.21(h)(1)) \$ 40.00

— petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached. (\$140.00; 37 CFR 1.47 and 1.17(h)) \$

— for processing an application with a specification in a non-English language. (\$130.00; 37 CFR 1.52(d) and 1.17(k)) \$

— processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(1)) \$

— fee for international-type search report (\$35.00; 37 CFR 1.21(e)) \$

X fee for petition to make application special \$130.00

Total fees enclosed \$760.00

Best Available Copy

14. Method of Payment of Fees

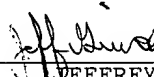
- ☒ Check in the amount of \$ _____
- ☐ Charge Account No. 12-2475 in the amount of \$ _____. A duplicate of this transmittal is attached.

15. Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 12-2475.
- ☒ 37 CFR 1.16(a) or (g) (filing fees)
- ☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)
- ☒ 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☒ 37 CFR 1.17 (application processing fees)
- ☐ 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

16. Instructions As To Overpayment

- ☒ credit Account No. 12-2475.
- ☐ refund



JEFFREY W. GUISE
Reg. No. 34,613

LYON & LYON
611 West Sixth Street
34th Floor
Los Angeles, California 90017
Tel. No. (213) 489-1600